

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREW WILLIAM SMITH & LISA
VELTEN-SMITH,

On Behalf of Themselves and All Others
Similarly Situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY, a California
Corporation, WELLS FARGO BANK, N.A., a
California Corporation, and Does 1 through 20

Defendants.

Civil Action No. 1:08 cv-00564 (LAK)

MOTION TO ADMIT COUNSEL *PRO HAC VICE*

PLEASE TAKE NOTICE that, upon the Declaration of Brian D. Hail, submitted herewith, the undersigned respectfully moves this Court for an Order pursuant to Rule 1.3(c) of the Local Rules of this Court, admitting Marva R. Deskins, Esq. *pro hac vice* to the Bar of this Court for the purpose of representing Defendants Wells Fargo & Company and Wells Fargo Bank, N.A. in the above-captioned proceeding.

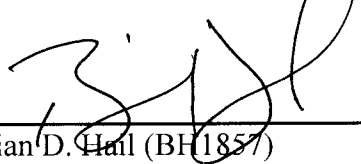
Dated: August __, 2008
New York, New York

Respectfully submitted,

WELLS FARGO & COMPANY and
WELLS FARGO BANK, N.A.,

By their attorneys,

GOODWIN PROCTER LLP

A handwritten signature in black ink, appearing to read "B. Hail", is written over a horizontal line.

Brian D. Hail (BH1857)

bhail@goodwinprocter.com

The New York Times Building

620 Eighth Avenue

New York, New York 10018

Tel: (212) 813-8800

Fax: (212) 355-3333

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Affidavit of Service

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Jack B Groarke , being duly sworn, deposes and says that he is not a party to the within
action, is over 21 years of age and resides in Oradell, New Jersey

That on the 19th day of August, 2008, deponent caused true copies of the Notice of
Motion for Pro Hac Vice Admission of Marva R. Deskins, to be served by Fed Ex, to the
following:

Gillian L. Wade
Wayne Scott Kreger
Milstein, Adelman & Kreger, LLP
2800 Donald Douglas Loop N.
Santa Monica, CA 90405

Stuart E. Nahas
Zraick Nahas & Rich
303 Fifth Avenue
Suite 1201
New York, NY 10016



Jack B. Groarke

Sworn to before me this
19th day of August, 2008.



Notary Public

ALEXIS D. FERNANDEZ
Notary Public, State of New York
No. 01FE6061328
Qualified in NEW YORK County
LIBNY/4 Commission Expires JULY 16, 2011

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**DECLARATION OF BRIAN D. HAIL IN SUPPORT OF
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

Brian D. Hail, hereby states as follows:

1. I am a partner at Goodwin Procter LLP and counsel for Defendants Wells Fargo & Company and Wells Fargo Bank, N.A. ("Wells Fargo") in the above-captioned action. I am a member in good standing of the Bar of this Court since 1993. I am familiar with the proceedings in this case. I make this Declaration based on my personal knowledge of the facts set forth herein and in support of Wells Fargo's motion, pursuant to Rule 1.3(c) of the Local Rules of this Court, for admission of Marva R. Deskins to the Bar of this Court *pro hac vice* to represent Wells Fargo in this matter.

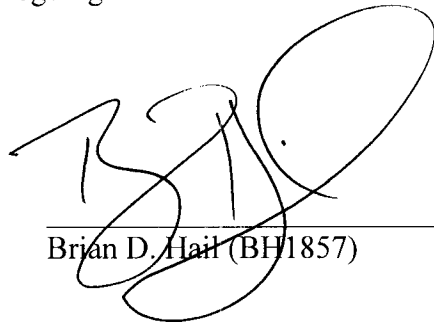
2. Ms. Deskins is an associate with the firm of Goodwin Procter LLP, 901 New York Avenue, N.W., Washington, D.C. 20001, Tel: (202) 346-4230, Fax: (202) 346-4444, Email: mdeskins@goodwinprocter.com. She is a member in good standing of the Bar of the District of Columbia and the Bar of Maryland. Attached hereto as Exhibit 1 are Certificates

from the District of Columbia Court of Appeals and the Court of Appeals of Maryland, each stating that Ms. Deskins is a member in good standing. There are no pending disciplinary proceedings against Ms. Deskins in any State or Federal Court. Ms. Deskins is familiar with the Federal Rules of Civil Procedure, the Federal Rules of Evidence and the Rules of this Court.

3. I have found Ms. Deskins to be a skilled attorney and a person of integrity. Accordingly, I respectfully request that Marva R. Deskins, Esq. be admitted to the Bar of this Court *pro hac vice* for the purposes of representing Wells Fargo in the above-captioned proceeding

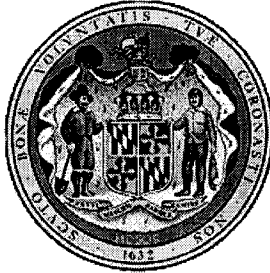
4. I respectfully submit a proposed order granting the admission of Marva R. Deskins, *pro hac vice*, which is attached hereto as Exhibit 2.

I declare under penalty of perjury that the foregoing is true and correct. Executed this ____ day of August, 2008.



Brian D. Hail (BH1857)

**Court of Appeals
of Maryland
Annapolis, MD**



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

*I, Bessie M. Decker, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the fourteenth day of June, 2005,*

Marva Rashida Deskins

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

In Testimony Whereof, *I have hereunto
set my hand as Clerk, and affixed the Seal
of the Court of Appeals of Maryland, this
eleventh day of August, 2008.*

Bessie M. Decker

Clerk of the Court of Appeals of Maryland



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MARVA R. DESKINS

was on the 9TH day of JANUARY, 2006

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on August 7, 2008.

GARLAND PINKSTON, JR., CLERK

By: *M. Charles*
Deputy Clerk

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[PROPOSED] ORDER ADMITTING COUNSEL *PRO HAC VICE*

Upon consideration of the Notice of Motion for Admission *Pro Hac Vice* of Marva R. Deskins, Esq., dated August ___, 2008, and the accompanying Declaration of Brian D. Hail, sworn to on August ___, 2008, it is hereby:

ORDERED that, pursuant to Local Civil Rule 1.3(c) of the Local Rules of this Court, Marva R. Deskins, Esq., is hereby admitted *pro hac vice* to the Bar of this Court for the purpose of representing Defendants Wells Fargo & Company and Wells Fargo Bank, N.A. in the above-captioned proceeding.

United States District Judge

Dated: _____, 2008